

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA**

GINA M. FOUNTAIN,	)	
	)	
Plaintiff,	)	
vs.	)	1:12-cv-00201-TWP-TAB
	)	
EXECUTIVE MANAGEMENT SERV. INC.,	)	
	)	
Defendant.	)	

**E N T R Y**

The plaintiff's renewed motion for court appointed attorney has been considered.

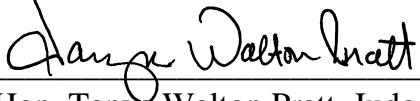
Pursuant to 28 U.S.C. § 1915(e)(1), courts are empowered only to "request" counsel. *Mallard v. United States District Court*, 490 U.S. 296, 300 (1989). There is no constitutional right to an attorney in a civil proceeding. *Jackson v. Kotter*, 541 F.3d 688, 700 (7th Cir. 2008). Accordingly, the question is not whether an attorney would help the plaintiff's case, but whether, given the difficulty of the case, the plaintiff seems competent to litigate it herself. *See Pruitt v. Mote*, 503 F.3d 647, 653, 655 (7th Cir. 2007) (*en banc*).

The court finds at present, that the claims asserted by the plaintiff are not of sufficient complexity or merit as to surpass the plaintiff's ability to properly develop and present them. Regardless, the plaintiff is within the spectrum of "most indigent parties" because she has and will have a meaningful opportunity to present her claims, she has demonstrated familiarity with her claims and the ability to present them. Having considered the complexity of the plaintiff's claims and her ability to litigate her case, this is not a case in which at present it is appropriate to seek representation for the plaintiff.

Based on the foregoing, the plaintiff's renewed motion for appointment of counsel [Dkt. 15] is **denied**.

**IT IS SO ORDERED.**

Date: 06/18/2012

  
\_\_\_\_\_  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

**Distribution:**

**Gina M. Fountain  
3641 Caroline Ave.  
Indianapolis, IN 46218**

**All Electronically Registered Counsel**